

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division

MELISSA L.W.,<sup>1</sup>

Plaintiff,

v.

Civil Action No. 3:23cv337

MARTIN M. O'MALLEY,  
Commissioner of  
Social Security,

Defendant.

ORDER

Having reviewed the REPORT AND RECOMMENDATION of the Magistrate Judge entered herein on June 24, 2024 (ECF No. 15), the PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION (ECF No. 16), the DEFENDANT'S RESPONSE TO PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION OF THE MAGISTRATE JUDGE (ECF No. 17), and the time for the plaintiff to file a timely reply having expired, and no timely reply having been filed, and having considered the record and the REPORT AND RECOMMENDATION (ECF No. 15) and finding no error therein, it is hereby ORDERED that:

(1) The PLAINTIFF'S OBJECTIONS TO THE REPORT AND RECOMMENDATION (ECF No. 16) are overruled; and

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<sup>1</sup> The Committee on Court Administration and Case Management of the Judicial Conference of the United States has recommended that, due to significant privacy concerns in social security cases, federal courts should refer to claimants only by their first names and last initials.

(2) The REPORT AND RECOMMENDATION of the Magistrate Judge (ECF No. 15) is adopted on the basis of the reasoning of the REPORT AND RECOMMENDATION; and

(3) The Plaintiff's MOTION FOR SUMMARY JUDGMENT (ECF No. 10) is denied; and

(4) The DEFENDANT'S MOTION FOR SUMMARY JUDGMENT (ECF No. 12) is granted; and

(5) The Commissioner's decision is affirmed.

It is further ORDERED that the issues are adequately addressed by the briefs and oral argument would not materially aid the decisional process.

It is so ORDERED.

\_\_\_\_\_/s/ REP\_\_\_\_\_  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia  
Date: August 7, 2024